

REMARKS/ARGUMENTS

Re-examination and favorable reconsideration in light of the above amendments and the following comments are respectfully requested.

Claims 1 - 35 are pending in the application. Currently, no claim has been allowed.

By the present amendment, claims 1, 4, 12, 14, 17, 19, 21, 23 and 32 have been amended and claim 15 has been cancelled.

In the office action mailed March 24, 2006, all claims pending in the application were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,867,821 to Ballantyne et al. in view of U.S. Patent No. 6,283,761 to Joao.

The foregoing rejection is traversed by the instant response.

Claim 1 as amended herein calls for the at least one video display unit to be located within at least one examination/consultation room in a non-hospital medical setting. The Ballantyne et al. patent is directed to a method and apparatus for electronically accessing and distributing healthcare information and services in hospitals and homes. There is no contemplation by Ballantyne et al. of providing any display unit in an

examination/consultation room in a non-hospital medical setting. The secondary reference to Joao does not cure this deficiency in Ballatyne et al. The apparatus and method described by Joao is intended to process and/or provide healthcare information and/or healthcare-related information. Nowhere does the patent talk about providing any such information in a non-hospital medical setting. Clearly, there is no disclosure of placing at least one video display unit within at least one examination/consultation room.

Claims 2 and 3 are allowable for the same reasons as claim 1 as well as on their own accord.

Claim 4 is directed to an interactive system for providing information to patients in a medical setting which includes an electronic device which contains a plurality of video files connected to at least one video display so that a program selected by the patient using the manual device is provided by the electronic device to the at least one video display unit. The electronic device maintains a log of each program selected by the viewer. Clearly, the Ballantyne et al. patent does not teach or suggest the use of an electronic device which maintains a log of each program selected by the viewer. The Examiner contends that Ballantyne et al. teaches or suggests an

electronic device which maintains a log of each program selected by the viewer; however, Applicants can find no such teaching in the patent. Column 6, line 66 to column 7, line 1 of Ballantyne et al. really says that the appropriate billing and accounting software is inherent in the equipment. It is totally silent on maintaining a log of each program selected by the viewer and thus could not possibly teach or suggest this notation. The Joao patent is also silent on this point and therefore does not cure the deficiency in Ballantyne et al. For this reason, claim 4 is allowable.

Claim 5 is allowable because neither of the cited and applied references has any means for accessing data in a log maintained by the electronic device because neither reference teaches or suggests an electronic device that maintains a log of each program selected by the viewer.

Claims 6 - 8 are allowable for the same reasons as claim 4 as well as on their own accord.

Claims 9 and 10 are allowable for the same reasons as claim 1 as well as on their own accord.

With respect to claims 11, the Examiner relies upon column 8, line 65 through column 10, line 27 of Ballantyne et al. to teach the limitation of there being a list of available programs on an on-screen display. However,

Ballantyne et al. is silent as to there being such a list. The Ballantyne et al. patent says that a patient can select a program but does not provide any details as to how the patient would obtain a list of available programs. For this reason, claim 11 is allowable.

Claim 12 now calls for a hand-held user interface containing a list of available programs and the manual device. Neither Ballantyne et al. nor Joao teaches or suggests such an interface. Clearly, there is an interface in the Ballantyne et al. system. However, there is no disclosure of such an interface being a hand-held interface which contains both the list of available programs and a manual device. For these reasons, claim 12 is allowable over the combination of Ballantyne et al. and Joao.

Claim 13 is allowable for the same reasons as claim 12 and further on its own accord.

Claim 14 is allowable because there is no disclosure in either of the cited and applied references of locating at least one television monitor within a patient examining room in a non-hospital medical setting. As discussed above, Ballantyne et al. is only concerned with hospitals and homes. Joao is entirely silent on the subject.

Claim 16 is allowable because neither of the cited and applied references teaches or suggests locating at least one television monitor in a pharmacy setting.

Claim 17 is allowable because neither of the cited and applied references discusses including a television monitor in each of the examination/consultation rooms in a medical setting.

Claim 18 is allowable for the same reasons as claim 17 as well as on its own accord.

Claim 19 is allowable because neither of the cited and applied references teaches or suggests an electronic device having the capability to simultaneously provide the same program content to each of a plurality of video display units.

Claim 20 is allowable for the same reasons as claim 1 as well as on its own accord.

Claim 21 is allowable because neither of the cited and applied references teaches or suggests a manual device comprising a device for generating an infrared signal and said at least one video display unit as a means for receiving said infrared signal and for transmitting said infrared signal to said electronic device. The only discussion of data transmission in Ballantyne et al. occurs in column 9, line 40 et seq. There it is said that the

data is transferred to and from the PCS in compressed digital form to minimize data loading on the network and then decompressed at the bedside when used. There is no disclosure of the use of infrared signals in Ballantyne et al. Joao does not cure this deficiency in Ballantyne et al. Therefore, claim 21 is allowable.

Claim 22 is allowable over the cited and applied references because neither reference teaches or suggests an interactive system which has an automatic turn-on feature and an automatic turn-off feature.

Claim 23 is allowable for the same reasons that claim 1 is allowable. Neither of the cited and applied references teaches or suggests locating a video display unit in an examination/consultation room in a non-hospital medical setting.

Claims 24 - 32 are allowable for the same reasons as claim 23 as well as on their own accord. For example, claim 24 is allowable because neither of the cited and applied references teaches or suggests locating a plurality of video display units or a plurality of examination/consultation rooms.

Claim 26 is allowable because neither of the cited and applied references teaches or suggests updating the video

files on an electronic device from another electronic device located remote from the medical setting.

Claim 30 is allowable because neither of the cited and applied references teaches or suggests a step of maintaining a log of video files viewed by said individuals on said electronic device.

Similarly, claim 31 is allowable because neither of the cited and applied references teaches or suggests periodically downloading information maintained in the log to a remote device for analysis of that information.

Claim 33 is allowable over the cited and applied references because neither of the cited and applied references teaches or suggests maintaining a log of each selected video file on the electronic device.

Claims 34 and 35 are allowable for the same reasons as claim 33 and further on their own accord. Neither reference teaches or suggests gathering information about viewed programs by accessing the log via another electronic device. Additionally, neither of the cited and applied references teaches or suggests utilizing and gathering information to compute an amount due from at least one of advertisers and sponsors.

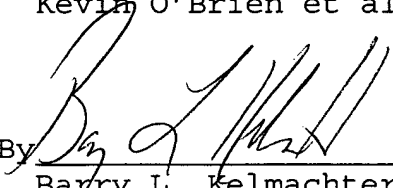
For the foregoing reasons, the instant application is believed to be in condition for allowance. Such allowance is respectfully solicited.

Should the Examiner believe an additional amendment is needed to place the case in condition for allowance, he is hereby invited to contact Applicants' attorney at the telephone number listed below.

A request for a one-month extension of time is enclosed herewith along with a check in the amount of \$860.00 to cover the extension of time fee and the extra independent claim fee. Should the Director determine that an additional fee is due, he is hereby authorized to charge said fee to Deposit Account No. 02-0184.

Respectfully submitted,

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I, Karen M. Gill, hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313" on July 24, 2006

  
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